

AMENDED IN ASSEMBLY APRIL 24, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2102

Introduced by Assembly Member Ting

February 20, 2014

An act to amend Section 2717 of, and to add Sections 2852.5, 3518.1, 3770.1, and 4506 to, the Business and Professional Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2102, as amended, Ting. Licensees: data collection.

Existing law requires the Board of Registered Nursing, the Physician Assistant Board, the Respiratory Care Board of California, and Board of Vocational Nursing and Psychiatric Technicians of the State of California to regulate and oversee the practice the healing arts within their respective jurisdictions.

This bill would require these boards to ~~annually~~ collect and report specific demographic data relating to its licensees, *subject to a licensee's discretion to report his or her race or ethnicity*, to Office of Statewide Health Planning and Development. *The bill would require the Board of Registered Nursing to collect this data at least biennially, and would require those other boards to collect this data at the time of issuing an initial license or a renewal license.*

This bill would also delete obsolete provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares the following:

2 (a) The Office of Statewide Health Planning and Development
3 prepares an annual report to the Legislature on the gaps in the
4 health care workforce in California.

5 (b) The Employment Development Department's Labor Market
6 Information Division and state licensing boards share data with
7 the Office of Statewide Health Planning and Development.

8 (c) All regulatory boards collect information about their
9 licensees through the licensing process.

10 (d) California's regulated health professions collect information
11 that is often limited and not always regularly updated.

12 (e) The information collected is inconsistent among the various
13 regulatory agencies using different definitions and categories.

14 (f) The collection of demographic data on certain allied health
15 professions will allow for the consistent determination of
16 geographic areas in the state where there are shortages of health
17 care workers with cultural and linguistic competency.

18 SEC. 2. Section 2717 of the Business and Professions Code is
19 amended to read:

20 2717. (a) The board shall collect and analyze workforce data
21 from its licensees for future workforce planning. The board may
22 collect the data at the time of license renewal or from a
23 scientifically selected random sample of its licensees. The board
24 shall produce reports on the workforce data it collects, at a
25 minimum, on a biennial basis. The board shall maintain the
26 confidentiality of the information it receives from licensees under
27 this section and shall only release information in an aggregate form
28 that cannot be used to identify an individual. The workforce data
29 collected by the board shall include, at a minimum, employment
30 information such as hours of work, number of positions held, time
31 spent in direct patient care, clinical practice area, type of employer,
32 and work location. The data shall also include future work
33 intentions, reasons for leaving or reentering nursing, job satisfaction
34 ratings, and demographic data.

35 (b) Aggregate information collected pursuant to this section
36 shall be placed on the board's Internet Web site.

(c) (1) Notwithstanding subdivision (a), the board shall ~~annually~~ collect, *at least biennially*, all of the following data on nurses licensed under this chapter:

- (A) Location of practice.
- (B) Race or ethnicity, *subject to paragraph (3)*.
- (C) Gender.
- (D) Languages spoken.
- (E) Educational background.

(2) The board shall annually provide the data collected pursuant to paragraph (1) to the Office of Statewide Health Planning and Development in a manner directed by the office that allows for inclusion of the data into the annual report required by Section 128052 of the Health and Safety Code.

(3) *A licensee may, but is not required to, report his or her race or ethnicity to the board.*

SEC. 3. Section 2852.5 is added to the Business and Professions Code, to read:

2852.5. (a) The board shall ~~annually~~ collect, *at the time of issuing an initial license or a renewal license*, all of the following data on vocational nurses licensed under this chapter:

- (1) Location of practice.
- (2) Race or ethnicity, *subject to subdivision (c)*.
- (3) Gender.
- (4) Languages spoken.
- (5) Educational background.

(b) The board shall annually provide the data collected pursuant to subdivision (a) to the Office of Statewide Health Planning and Development in a manner directed by the office that allows for inclusion of the data into the annual report required by Section 128052 of the Health and Safety Code.

(c) *A licensee may, but is not required to, report his or her race or ethnicity to the board.*

SEC. 4. Section 3518.1 is added to the Business and Professions Code, to read:

3518.1. (a) The board shall ~~annually~~ collect, *at the time of issuing an initial license or a renewal license*, all of the following data on physician assistants licensed under this chapter:

- (1) Location of practice.
- (2) Race or ethnicity, *subject to subdivision (c)*.
- (3) Gender.

1 (4) Languages spoken.

2 (5) Educational background.

3 (b) The board shall annually provide the data collected pursuant
4 to subdivision (a) to the Office of Statewide Health Planning and
5 Development in a manner directed by the office that allows for
6 inclusion of the data into the annual report required by Section
7 128052 of the Health and Safety Code.

8 (c) *A licensee may, but is not required to, report his or her race*
9 *or ethnicity to the board.*

10 SEC. 5. Section 3770.1 is added to the Business and Professions
11 Code, to read:

12 3770.1. (a) The board shall ~~annually~~ collect, *at the time of*
13 *issuing an initial license or a renewal license*, all of the following
14 data on respiratory therapists licensed under this chapter:

15 (1) Location of practice.

16 (2) Race or ethnicity, *subject to subdivision (c)*.

17 (3) Gender.

18 (4) Languages spoken.

19 (5) Educational background.

20 (b) The board shall annually provide the data collected pursuant
21 to subdivision (a) to the Office of Statewide Health Planning and
22 Development in a manner directed by the office that allows for
23 inclusion of the data into the annual report required by Section
24 128052 of the Health and Safety Code.

25 (c) *A licensee may, but is not required to, report his or her race*
26 *or ethnicity to the board.*

27 SEC. 6. Section 4506 is added to the Business and Professions
28 Code, to read:

29 4506. (a) The board shall ~~annually~~ collect, *at the time of issuing*
30 *an initial license or a renewal license*, all of the following data on
31 psychiatric technicians licensed under this chapter:

32 (1) Location of practice.

33 (2) Race or ethnicity, *subject to subdivision (c)*.

34 (3) Gender.

35 (4) Languages spoken.

36 (5) Educational background.

37 (b) The board shall annually provide the data collected pursuant
38 to subdivision (a) to the Office of Statewide Health Planning and
39 Development in a manner directed by the office that allows for

- 1 inclusion of the data into the annual report required by Section
2 128052 of the Health and Safety Code.
3 *(c) A licensee may, but is not required to, report his or her race*
4 *or ethnicity to the board.*

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